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*Attorneys for Defendant Corcept Therapeutics, Inc.*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

TEVA PHARMACEUTICALS USA, INC.,

Plaintiff,

vs.

CORCEPT THERAPEUTICS, INC., et al.,

Defendants.

Case No. 5:24-cv-03567-BLF

Honorable Beth Labson Freeman

**DECLARATION OF ROBERT W. STONE  
IN SUPPORT OF DEFENDANTS' JOINT  
MOTION FOR PROTECTIVE ORDER  
REGARDING PLAINTIFF'S 33 NON-  
PARTY DOCUMENT SUBPOENAS**

1 I, Robert W. Stone, declare:

2 1. I am an attorney licensed to practice in the State of California and a member of the  
3 Bar of this Court. I am a partner at Quinn Emanuel Urquhart & Sullivan, LLP, and serve as counsel  
4 for Defendant Corcept Therapeutics, Inc. (“Corcept”) in this action. I have been actively involved in  
5 this action, am familiar with the proceedings, and have personal knowledge of the matters stated  
6 herein. If called as a witness, I could and would testify competently thereto.

7 2. On January 16, 2025, Corcept learned that Plaintiff Teva Pharmaceuticals USA, Inc.  
8 (“Teva”) was in the process of serving non-party document subpoenas on various healthcare  
9 providers.

10 3. Given Teva’s lack of prior notice of the subpoenas under Federal Rule of Civil  
11 Procedure 45(a)(4), Corcept on January 17, 2025 sent Teva a letter requesting that Teva withdraw the  
12 approximately six subpoenas that Corcept had as of then learned about.

13 4. Three days later, on January 20, 2025, Teva responded via letter acknowledging the  
14 subpoenas for the first time (some of which had apparently been served days earlier). In its January  
15 20, 2025 response, Teva refused to withdraw the subpoenas. Along with its letter, Teva on January  
16 20, 2025 provided a notice of subpoenas that revealed Teva had in fact served (or was serving) a total  
17 of 33 non-party subpoenas, not just the six Corcept learned of and wrote Teva about on January 17.

18 5. Teva’s notice attached copies of the 33 subpoenas, but the notices omitted the dates  
19 that the subpoenas were either propounded (sent out for service) or actually served on the recipients.  
20 The absence of that information frustrates determining when the objection deadline for the subpoenas  
21 may run. *See* Fed. R. Civ. P. 45(d)(2)(B) (indicating objections “must be served before the earlier of  
22 the time specified for compliance *or 14 days after the subpoena is served*”) (emphasis added).

23 6. On January 26, 2025, Corcept responded to Teva’s January 20 letter via email asking  
24 a series of questions regarding the subpoenas, including when each was propounded, and when each  
25 was actually served (if at all).

26 7. On January 27, 2025, Teva responded to Corcept’s January 26 email. In that  
27 correspondence, Teva declined to specify when each subpoena was propounded or actually served.  
28

10. Attached hereto as **Ex. A** is a true and correct excerpted copy of Teva's January 20, 2025 Notice of Subpoenas Directed to Healthcare Providers. Teva's notice included as attachments copies of 33 non-party subpoenas, which each contained the same 13 document requests. For the Court's convenience, Defendants are including in **Ex. A** Teva's notice as well as a copy of one of the subpoenas, which appears to be materially the same as the other subpoenas contained in Teva's notice (the other subpoenas are being omitted from the excerpt).

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on this 30th day of January 2025 in Redwood Shores, California.

By /s/ Robert W. Stone

Robert W. Stone